

VIA HAND DELIVERY JANUARY 10TH, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

jc869 U.S. PTO
10/041574
01/10/02

In re application of: NI *et al.*

Application Serial No.: To Be Assigned

Art Unit: To Be Assigned

Filed: Concurrently Herewith

Examiner: To Be Assigned

For: Human Tumor Necrosis Factor
Receptor TR9

Attorney Docket No.: PF375P1D1

#3
B.G.J
2/28/02

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.56

Commissioner for Patents
Washington, D.C. 20231

S I R:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorneys for Applicants hereby direct the Examiner's attention to references AA-BN listed on the attached Form PTO/SB/08A.

Copies of references AA-BN were submitted by Applicants or cited by the Examiner in connection with U.S. Patent Application Serial No. 09/527,236, filed March 16, 2000, to which the instant application claims priority under 35 U.S.C. § 120. Pursuant to 37 C.F.R. § 1.98(d), the Examiner is respectfully directed to the files of the above-listed applications for copies of references AA-BN.

Applicants note that reference AR is in the German language. In accordance with 37 C.F.R. § 1.98(a)(3), the Examiner is directed to reference BN listed on the attached revised Form PTO/SB/08, said reference being a abstract of reference AR, for a concise explanation of the potential relevance of reference BJ.

Identification of the listed references is not to be construed an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 C.F.R. 1.104(a) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

Applicants respectfully request that the Examiner review the listed references and that the references be made of record in the file history of the application.

Pursuant to 37 C.F.R. § 1.97(b), since this information disclosure statement is being filed concurrently with the instant application, no fee is due in connection herewith. However, should the Patent Office determine otherwise, please charge the required fee to Human Genome Sciences, Inc., deposit account no. 08-3425.

Respectfully submitted,

Dated: January 10, 2002


Jonathan L. Klein (Reg. No. 41,119)
Attorney for Applicants

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, MD 20850
(301) 251-6015 (telephone)

JLK/BM/lcc